

Hearing Date: July 13, 2022
Objections Date: May 6, 2022
Reply Date: June 6, 2022

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC and Bernard L. Madoff,

Plaintiff,

v.

BANQUE CANTONALE VAUDOISE,

Defendant.

Adv. Pro. No. 12-01694 (CGM)

ORAL ARGUMENT REQUESTED

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant Banque Cantonale Vaudoise's Motion to Dismiss the Complaint in the above-captioned action, the Declaration of David A. Shaiman dated as of the date hereof and exhibits thereto, and all prior pleadings and proceedings herein, Defendant Banque Cantonale Vaudoise ("Defendant") will move this Court for an order dismissing the Complaint filed by

Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,
pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, made applicable here by Rule
7012 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the
Federal Rules of Bankruptcy Procedure, Defendant does not consent to the entry of final orders
or judgment by this Court.

Dated: March 7, 2022
New York, New York

Respectfully Submitted,

ALLEGAERT BERGER & VOGEL LLP

By: /s/ John F. Zulack

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